**FARAD CONTINUATION SHEET**

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**APPELLATE SIDE**

APPEAL FROM ORDER NO. 3 OF 2007
WITH
CIVIL APPLICATION NO. 11 OF 2007

Mr.Imtiyaz HSassan Khan. ... Appellant.

V/s.

Mr.Rais Mohammed T. Choudhary
and others. ... Respondent.

---

| | | |
|---|---|---|
| Office Notes,Office | : | |
| Memoranda of Coram, | : | Court's or Judge's orders |
| appearnaces,Courts's | : | |
| orders or directions | : | |
| and Registrar's orders. | : | |

---

V.R.Walawalkar with Sameer R. Bhalekar
for the appellant.

P.S.Dani with Sandesh Deshpande
for respondent No.1.

**CORAM: A.M.KHANWILKAR, J.**

**DATED: 25th January 2007.**

**P.C.:**

. Heard counsel for the parties.

2. I am broadly in agreement with the opinion recorded by the trial court in the impugned judgment, particularly, in paragraphs- 14 and 15 thereof. Prima facie opinion recorded by the trial Court on the issue of concluded contract is unexceptionable. That view is a possible

view. Hence this appeal is dismissed being devoid of merits.

3. Counsel for the appellant prays that the trial court be directed to expedite hearing of the suit. If such application is made by the appellant before the trial Court, it would be open for the trial Court to pass such order, having regard to the controversy involved in the matter.

4. In view of dismissal of appeal, civil application does not survive. The same is dismissed as infructuous.

(A.M.KHANWILKAR, J.)